

Planning Commission Meeting for New Castle City took place on November 22, 2010 at 6:30 p.m. in the City of New Castle's Town Hall.

Members Present: David Bird, Chair
Bill Simpson, Co-Chair
Joe DiAngelo
Dorsey Fiske
Susan Marinelli
Dr. Jack Norsworthy*

Members Absent: Vera Worthy
Florence Smith

City Planner: Marian Hull, URS

*Dr. Norsworthy arrived at 7 p.m.

Mr. Bird called the meeting to order at 6:38 p.m. Roll call was taken.

Approval of Minutes – A motion was made and seconded to approve the minutes of the October meeting. The minutes were adopted by unanimous vote.

Comprehensive Plan Zoning Amendments – Ms. Hull distributed updated zoning amendments data to the Commissioners. She commented on the timeframe (within 18 months) the State of Delaware uses to implement zoning changes recommended in Comprehensive Plans. It is an aggressive timeline but she noted that significant progress has been made in the Gateway Districts (Ferry Cut-Off & Seventh & South Street). There were three (3) other parcels the Comprehensive Plan recommended the zoning be different from the current zoning designation. Those three parcels are summarized in the updated distribution and Ms. Hull reviewed each parcel.

The 0/901 Delaware parcels (2) were recommended by the Planning Commission to be rezoned to R1. City Council voted not to approve that zoning designation (R1) (May 2010). *(Lenthy discussion followed.)* It was noted the Planning Commission does not need to act any further but may wish to make another recommendation. Mr. Simpson was concerned about setting precedent and prefers writing an appendix to be added to the Comprehensive Plan detailing actions taken by the Planning Commission and City Council. Mr. Bird believes the Planning Commission should go on record that as recommending to City Council that the entire area (#7 & #8 on Comprehensive Plan) be changed to Open Space & Recreation (OS&R) and the zoning be changed to OS&R on the Comprehensive Plan. *(More discussion about the zoning in the area of 0/901 Delaware and the wishes of the property owner followed.)* A portion of the property is zoned R1 while another portion is zoned OS&R. The Comprehensive Plan calls for both properties to be R1. Mr. Bird feels we should seek advice from the City Solicitor. *(Further discussion about a path forward took place.)*

Mr. Simpson made a motion to recommend to City Council that they meet with the City Solicitor to determine what they can legally do with this piece of property, make the zoning what they want and amend the Comprehensive Plan to match that decision. Ms. Fiske seconded the motion. The motion was unanimously adopted by the Planning Commission concerning the 0/901 Delaware parcels.

Discussion about the other two (2) parcels on the distribution followed.

Mr. Simpson made a motion to recommend to City Council that properties #8 (as amended) and #15 (property adjacent to the middle school, Route 273 and railroad tracks) on the Comprehensive Plan map be rezoned OS&R to conform with the Comprehensive Plan. Ms. Marinelli seconded the motion. The motion was unanimously adopted by the Planning Commission.

The City will conduct a public hearing to review these three (3) parcels during the December 2010 City Council Meeting. Ms. Hull will make Mr. Akin and Mr. Barthel aware of this body's position and concerns on these parcels.

Potential Annexation at Centerpoint Industrial Park – Ms. Hull wanted to provide information to Commissioner's about the potential annexation of a piece of property currently located in the County. She provided a summary of what is being considered. Her concern was that Commissioners be informed of the process in advance should an annexation take place. *(Lengthy discussion followed.)*

Discussion of Planning Studies for 2010-2011 – Ms. Hull distributed updated information adding clarifications on the City Pier and Municipal Buildings. She suggested recommending to City Council how the Planning Commission wants to utilize its funding. Dr. Norsworthy said there is a process that needs to be followed and that a recommendation should be presented to Council. *(Brief discussion.)*

A motion was made by Mr. Simpson to recommend to City Council that they approve the expenditure not to exceed \$12,000 of the Planning Commission's budget for the Capital Improvement Plan in accordance with the URS proposal. Dr. Norsworthy seconded the motion which was adopted by unanimous vote.

Budget Review – Mr. Bird reported the Planning Commission has a \$12,000 budget for a Capital Improvements Plan that was approved and \$1,000 for education and miscellaneous of \$5,000 that includes professional services. We do not have information on when charges are submitted to the City. Mr. Simpson commented the City receives billings for professional services and the City knows what they are paying out and what they charge this body for, but they do not provide that information or what should be credited back to us. Mr. Bird stated that since Council has not allocated additional funds as requested for the park and riverfront study, if there are funds being generated and charged to developers, he believes the Planning Commission should have some access to those monies. Dr. Norsworthy stated that fees or payments made by developers go back into City funds. The concern was that the records show that this body did not cost the City any monies. *(Additional discussion followed.)* Mr. Simpson will follow up with the City Administrator.

Commission Member Comments – Mr. DiAngelo requested a copy of the Comprehensive Plan. All Commissioners should have a copy along with City officials. Ms. Hull informed copies were distributed in accordance with their scope of work and will get a copy for each Commissioner.

Ms. Hull updated on the status of Riverbend. City Council was going to request that the developer comply with the same recommendations this body requested. To date the developer is resistant to those recommendations.

Next Meeting – The Planning Commission will not meet in December. Their next scheduled meeting will be 1/24/11 at 6:30 p.m.

Adjournment – **A motion was made and seconded to adjourn the meeting. The meeting was adjourned at 7:40 p.m.**

Respectfully submitted,

Debbie Turner

Debbie Turner
Stenographer